

**APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**April 17, 2008 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First Street, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:33 p.m. in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford, Florida.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Tom Hagood, Chair
Bill Fahey, Vice Chair
Larry Lawver
Frederick Geltz
Grace Chewning

Members Excused: Jay Ammon
Stewart Fritz

Present and Sworn: Charles Clayton, Jr., Respondent, 07-98-CEB
Harry Sirkis, Respondent, 08-53-CEB
Arthur Moses, Respondent, 08-55-CEB
Ahmad Khanjahanbakhsh, Respondent, 08-58-CEB
Mario Iglesia, Respondent, 08-60-CEB
John Jackson, Respondent, 08-63-CEB and 08-64-CEB
Paul Hossler, Respondent, 08-67-CEB
Ernest Scott, Respondent, 06-93-CEB
Lotis Troutman, Respondent, 07-33-CEB
Jerry Robertson, Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Joann Davids-Tamulonis, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Pamela Taylor, Code Enforcement Officer, SCSO
Jean Krause, Reserve Code Enforcement Officer, SCSO
Jason Rucker, Inspector, Seminole County

Others Present: Dan Mantzaris, Code Enforcement Board Attorney
Connie DeVasto, Planning Division

IV Swearing in of Witnesses

Shalaja Knight, Daughter of Respondent, 08-07-CEB

V Agenda Update and Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

TOM HAGOOD – YES BILL FAHEY – YES
GRACE CHEWNING – YES LARRY LAWVER – YES
FREDERICK GELTZ – YES

MOTION CARRIED 5 – 0.

The following cases will not be heard today:

CASE NO. 08-54-CEB
GALE KOHLER AND INA LEE
CONTINUED BY STAFF

CASE NO. 08-56-CEB
RONALD AND CELESTENE THOMAS
COMPLIED PRIOR TO HEARING

CASE NO. 08-61-CEB
LORRIE A. D'AMICO
COMPLIED PRIOR TO HEARING

CASE NO. 08-62-CEB
MEDIEVAL MGMT. CORP
COMPLIED PRIOR TO HEARING

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CASE NO. 07-108-CEB
NICHOLAS A. AND JOSEPH BOHR
COMPLIED PRIOR TO HEARING

CASE NO. 08-28-CEB
TODD BULLOCK
COMPLIED PRIOR TO HEARING

CASE NO. 08-12-CEB
LAKE MARY RESIDENCES, LLC
COMPLIED PRIOR TO HEARING

Case No. 08-53-CEB
Harry Sirkis
Code Enforcement Officer: Joann Tamulonis

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 25,
Section 30.442
Described as: 1) Mechanical work being done which is not a permitted use or a
customary accessory use of the property in a residential area
Location: Common area / Windsor at Sabal Walk Condos
North Pin Oak Place, Longwood (Commission District 3)
Tax Parcel ID # N/A

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation and documents from the Department of Motor Vehicles.

Officer Tamulonis stated that the recommendation would be to comply by May 1, 2008 with a fine of \$250.00 per day if the violation continues or is repeated past May 1, 2008.

Harry Sirkis, Respondent, was present at the hearing and testified on his own behalf. Mr. Sirkis stated that since receiving a violation from the Code Enforcement Officer, he has done no further mechanical or automotive work for money.

A general discussion was had concerning the nature of the activities that were occurring and what was and was not permitted.

Motion by Larry Lawver, seconded by Frederick Geltz, to dismiss the case.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY FREDERICK GELTZ, TO
DISMISS THE CASE:**

ORDER OF DISMISSAL

This matter came before the Board at a hearing on April 17, 2008 upon the Petitioner's request to impose a fine for a violation of Seminole County Land Development Code, Chapter 30, Part 25, Section 30.442. Based on the insufficiency of the testimony and evidence presented at the hearing, Case CEB 08-53-CEB is hereby dismissed.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

TOM HAGOOD – YES

GRACE CHEWNING – YES

FREDERICK GELTZ – YES

BILL FAHEY – NO

LARRY LAWVER – YES

MOTION CARRIED 4 – 1.

Case No 07-98-CEB
CCCH Derbyshire Property, LLC
Code Enforcement Officer: Donna Wisniewski

This is a repeat violation. The original violation was heard by the Board on September 27, 2007; and an Order was entered finding the Respondents in compliance at the time of the hearing.

An Affidavit of Repeat Violation was filed after reinspection on March 7, 2008. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on March 27, 2008.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **fine** on a repeat violation in the amount of **\$4,000.00** for 20 days of non-compliance, from March 7, 2008 through and including March 26, 2008, at **\$200.00 per day**; and further order that if the violation continues past April 17, 2008, the fine shall be increased to **\$300.00 per day** for each day the violation continues past or is repeated after April 17, 2008. The Clerk shall record said Order in the Public Records of Seminole County.

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Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3 (h).
Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: Derbyshire Road, Maitland (Commission District 1)
Tax Parcel ID # 20-21-30-300-006A-0000

Donna Wisniewski, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Wisniewski further stated that this was a repeat violation; and as of her inspection on March 27, 2008, the property was now in compliance.

Officer Wisniewski stated that recommendation would be to impose a fine in the amount of \$4,000.00, for 20 days of non-compliance, and increase the daily fine from \$200.00 per day to \$300.00 per day if this violation is repeated past today's date.

Charles Clayton, Jr., Respondent, was present at the hearing and testified on his own behalf stating that due to the registered agent, Mr. Allen, being out of the country, there was a delay in receiving the notice of the violation. Mr. Clayton further stated that once he became aware of the violation, it was corrected.

Motion by Grace Chewning, seconded by Bill Fahey, to accept Staff's recommendation but reduce the fine to \$100.00 with no increase in the daily fine if repeated again.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE BE:

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
ON A REPEAT VIOLATION PRESENTLY IN COMPLIANCE**

The Respondent is the owner of record of the property (Tax Parcel # 20-21-30-300-006A-0000) located at Derbyshire Road, Maitland, located in Seminole County and legally described as follows:

LEG SEC 20 TWP 21S RGE 30E BEG N 186 FT + W 180
FT OF SE COR RUN W 169.5 FT N 130 FT E 169.07 FT
S 130 FT TO BEG (LESS RDS)

This case came on for public hearing before the Code Enforcement Board of Seminole County on the September 27, 2007 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

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Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h).

Said Order stated that the Respondent was in compliance as of September 27, 2007 and that a fine in the amount of \$200.00 per day would be imposed if the violation was continued or repeated past September 27, 2007.

An Affidavit of Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated after reinspection on March 7, 2008.

An Affidavit of Compliance after Repeat Violation has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that corrective action has been taken by the Respondent after reinspection on March 27, 2008.

Based on the testimony and evidence presented, the Respondent was in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated September 27, 2007.

Therefore, the Board finds that the Respondent was in repeat violation and orders that the fine in the amount of **\$4,000.00** for 20 days of non-compliance **be reduced to \$100.00**.

This Order shall be recorded in the public records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

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Case No. 08-55-CEB
Andora Moses, Trustee FBO
Code Enforcement Officer: Pamela Taylor

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (j), (l) and (p)

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- Described as:
- 1) The accumulation of trash and debris
 - 2) Used/scrap building materials
 - 3) Junked, abandoned or inoperable vehicle(s) not kept within an enclosed garage or an attached carport
 - 4) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the County
- Location: 20th Street, Sanford (Commission District 5)
Parcel I. D. # 32-19-31-300-0100-0000

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Taylor stated that as of her last inspection, April 14, 2008, the property was still not in compliance.

Officer Taylor stated that the recommendation would be to comply by May 2, 2008 with a fine of \$250.00 per day if the violations continue or are repeated past May 2, 2008.

Andora Moses, Respondent, was present at the hearing and testified on his own behalf stating that most of the violations had been removed but requested more time to come into complete compliance.

A general discussion was concerning the nature of the violation and what was and was not permitted.

Motion by Larry Lawver, seconded by Bill Fahey, to accept Staff's recommendation but with a compliance date of June 30, 2008.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-55-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 32-19-31-300-0100-0000) located at 20th Street, Sanford, located in Seminole County and legally described as follows:

SEC 32 TWP 19S RGE 31E W 1/2 OF SE 1/4 OF SW 1/4 OF NE 1/4

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- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (j), (l) and (p)

It is hereby ordered that the Respondent shall correct the violations on or before June 30, 2008. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS
- 2) REMOVE USED/SCRAP BUILDING MATERIALS
- 3) REPAIR, REMOVE OR PLACE ANY JUNKED, ABANDONED OR INOPERABLE VEHICLE(S) WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT
- 4) REMOVED ANY OTHER OBJECTIONABLE, UNSIGHTLY, OR UNSANITARY MATTER, SUBSTANCE, OR MATERIAL TENDING BY ITS EXISTENCE AND/OR ACCUMULATION TO ENDANGER OR ADVERSELY AFFECT THE HEALTH, SAFETY, LIVES, AND/OR WELFARE OF THE CITIZENS OF THE COUNTY

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past June 30, 2008.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

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Case No. 08-58-CEB
Ahmad K. Khanjahanbakhsh
Code Enforcement Officer: Dorothy Hird

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (e), (g) and (h) and Seminole County Land Development Code, Chapter 30, Sections 30.762 and 30.763

Described as: 1) Unusable or abandoned furniture
 2) The accumulation of trash and debris
 3) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
 4) Parking/storing of semi-tractor, cargo boxes and trailers on C-2 zoned property

Location: 1370 E. Altamonte Drive, Altamonte Springs (Commission District 4)
 Tax Parcel ID # 18-21-30-501-0900-0010

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird stated that as of her last inspection this morning, the property was now in compliance.

Officer Hird stated that the recommendation would be to comply by May 5, 2008 with a fine of \$250.00 per day if the violations continue or are repeated past May 5, 2008.

Ahmad K. Khanjahanbakhsh, Respondent, was present at the hearing and testified on his own behalf stating that he acquired the property in May of 2007 and has improved the property since that time. Mr. Khanjahanbakhsh further stated that some of the vehicles shown in the photographs were not on his property; and therefore, he had no control over them.

Officer Hird entered into evidence additional photographs of the violations.

Motion by Larry Lawver, seconded by Bill Fahey, to accept Staff's recommendation.

A general discussion was had concerning the form of the motion since the property is in compliance at this time.

Amendment to motion by Larry Lawver, seconded by Bill Fahey, to accept Staff's recommendation but stating that the property is presently in compliance.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY BILL FAHEY, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

THIS MATTER came before the Code Enforcement Board of Seminole County for hearing on **April 17, 2008**, pursuant to a Statement of Violation and Notice of Hearing, and the Board having examined the file, Statement of Violation and Notice of Hearing, and having heard sworn testimony from the Code Enforcement Officer for the County, and Respondent(s), does hereby find:

- 1) Proper notice was given to the Respondent(s).
- 2) The Respondent is the owner of record of the property (Tax Parcel ID # 18-21-30-501-0900-0010) located at 1370 E. Altamonte Drive, Altamonte Springs, located in Seminole County and legally described as follows

LEG LOTS 1 2 6 + 7 (LESS ST RD) BLK 9 LAKEVIEW PB 5 PG 14

- 3) The Respondent was in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (e), (g) and (h) and Seminole County Land Development Code, Chapter 30, Sections 30.762 and 30.763
- 4) The Respondent corrected the violation on or before April 17, 2008.

Based upon these findings the Board does hereby order as follows:

- 1) A violation did exist and was corrected prior to the hearing in this matter;
- 2) Respondent shall refrain from repeating the violation. **In the event Respondent repeats the violation after April 17, 2008, a fine of \$250.00 per day will accrue for each day the violation recurs after April 17, 2008.**
- 3) This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

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Case No. 08-60-CEB
Mario and Guillermina Iglesia, Jr.
Code Enforcement Officer: Jean Krause

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l)
Described as: 1) Junked, abandoned or inoperable vehicle(s) not kept within an enclosed garage or an attached carport
Location: 3511 Jamison Drive, Apopka (Commission District 3)
Tax Parcel ID # 18-21-29-519-0D00-0090

Jean Krause, Reserve Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Krause stated that as of her last inspection, April 7, 2008, the property was not in compliance.

Officer Krause stated that the recommendation would be to comply by May 8, 2008 with a fine of \$250.00 per day if the violation continues or is repeated past May 8, 2008.

Mario Iglesia, Jr., Respondent, was present at the hearing and testified on his own behalf. Mr. Iglesia requested more time to come into compliance.

Motion by Grace Chewning, seconded by Larry Lawver, to accept Staff's recommendation but with a compliance date of May 30, 2008.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-60-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 18-21-29-519-0D00-0090) located at 3511 Jamison Drive, Apopka, located in Seminole County and legally described as follows:

LEG LOT 9 BLK D BEAR LAKE MANOR PB 11 PG 79

- (b) in possession or control of the property, and

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- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (l).

It is hereby ordered that the Respondents shall correct the violation on or before May 30, 2008. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REPAIR, REMOVE OR PLACE ANY JUNKED, ABANDONED OR INOPERABLE VEHICLE(S) WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT**

If the Respondents do not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violation continues or is repeated after compliance past May 30, 2008.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

Case No. 08-63-CEB
John L. Jackson
Code Enforcement Officer: Jerry Robertson

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (l)
Described as: 1) The accumulation of trash and debris
2) Junked, abandoned or inoperable vehicle(s) not kept within an enclosed garage or an attached carport
Location: 1505 Battle Street, Oviedo (Commission District 1)
Tax Parcel ID # 11-21-31-508-0800-0010

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Jerry Robertson, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Robertson stated that as of his last inspection, the Respondent had made good progress but that the property was still not in compliance.

Officer Robertson stated that the recommendation would be to comply by May 5, 2008 with a fine of \$100.00 per day if the violations continue or are repeated past May 5, 2008.

John L. Jackson, Respondent, was present at the hearing and testified on his own behalf. Mr. Jackson requested more time to come into compliance.

Motion by Grace Chewning, seconded by Larry Lawver, to accept Staff's recommendation but with a compliance date of June 13, 2008.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-63-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 11-21-31-508-0800-0010) located at 1505 Battle Street, Oviedo, located in Seminole County and legally described as follows:

LOTS 1 2 15 & 16 BLK 8 ALLENS 1ST ADD
TO WASHINGTON HEIGHTS PB 3 PG 23

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (l).

It is hereby ordered that the Respondent shall correct the violations on or before June 13, 2008. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS
- 2) REPAIR, REMOVE OR PLACE ANY JUNKED, ABANDONED OR INOPERABLE VEHICLE(S) WITHIN AN ENCLOSED GARAGE OR AN ATTACHED CARPORT

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If the Respondent does not comply with the Order, a fine of **\$100.00 per day** will be imposed for each day the violations continue or are repeated after compliance past June 13, 2008.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

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Case No. 08-64-CEB
John L. Jackson and Marwin Glenn
Code Enforcement Officer: Jerry Robertson

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (i)
Described as: 1) The remains or rubble of structures which have been burned, stricken by other casualty, or demolished
Location: 1508 Battle Street, Oviedo (Commission District 1)
Tax Parcel ID # 11-21-31-508-1100-0090

Jerry Robertson, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Robertson stated that as of his last inspection, the property was not in compliance.

Officer Robertson stated that the recommendation would be to comply by May 17, 2008 with a fine of \$100.00 per day if the violation continues or is repeated past May 17, 2008.

John L. Jackson, Respondent, was present at the hearing and testified on his own behalf. Mr. Jackson requested more time to come into compliance.

Grace Chewning asked if this violation constituted a health, safety and welfare issue. Officer Robertson stated that he could not say that it was a safety issue unless the structure was entered.

Motion by Bill Fahey to accept Staff's recommendation but with a compliance date of July 11, 2008. Motion seconded by Grace Chewning with an amendment to the motion to consider the violation a health, safety and welfare issue. Bill Fahey agreed to the amendment.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-64-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 11-21-31-508-1100-0090) located at 1508 Battle Street, Oviedo, located in Seminole County and legally described as follows:

LEG LOTS 9 + 10 BLK 11 ALLENS 1ST ADD
TO WASHINGTON HEIGHTS PB 3 PG 23

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (i).

It is hereby ordered that this violation constitutes a serious threat to the health, safety, and welfare of the citizens of Seminole County.

It is hereby ordered that the Respondents shall correct the violation on or before July 11, 2008. In order to correct the violation, the Respondents shall take the following remedial action:

- 1) REMOVE THE REMAINS OR RUBBLE OF STRUCTURES WHICH HAVE BEEN BURNED, STRICKEN BY OTHER CASUALTY, OR DEMOLISHED**

If the Respondents do not comply with the Order, a fine of **\$100.00 per day** will be imposed for each day the violation continues or is repeated after compliance past July 11, 2008.

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The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

Case No. 08-67-CEB
Paul L. Hossler
Code Enforcement Officer: Jean Krause

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (h)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
Location: 907 Riverbend Boulevard, Longwood (Commission District 3)
Tax Parcel ID # 29-20-29-5EY-0C00-0480

Jean Krause, Reserve Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Krause stated that as of her last inspection, the property was not in compliance.

Officer Krause stated that the recommendation would be to comply by May 1, 2008 with a fine of \$150.00 per day if the violations continue or are repeated past May 1, 2008.

Paul L. Hossler, Respondent, was present at the hearing and testified on his own behalf. Mr. Hossler testified that he no longer owned the house, that it had been foreclosed on.

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Tom Hagood asked the Respondent if he had any paperwork concerning transfer of title. The Respondent stated that the foreclosing bank had not yet sold the property; and therefore he had nothing concerning a change in title.

Attorney Dan Mantzaris discussed the issue of possession and control of the property. Mr. Mantzaris suggested that the County add the foreclosing bank as a Respondent.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, THAT THE CASE BE CONTINUED TO THE MAY 15, 2008 MEETING.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

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Case No 06-93-CEB
Ernest and Frances Scott
Code Enforcement Officer: Pamela Taylor appearing for Deborah Leigh

The Board heard this case on December 6, 2007 and tabled the case to the February 28, 2008 hearing which Staff then continued to the April 17, 2008 hearing.

This case was originally heard by the Board on December 14, 2006; and an Order was entered giving the Respondents a compliance date of May 1, 2007 which was extended to October 18, 2007. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on October 22, 2007.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$18,200.00** for 182 days of non-compliance, from October 19, 2007 through and including April 17, 2008, at **\$100.00 per day**; and the fine shall continue to accrue at \$100.00 per day until compliance is obtained. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(b), (c), (d), (g), (j), (l) & (p).

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Described as: 1) The accumulation of refuse
 2) The accumulation of rubbish
 3) The accumulation of junk
 4) The accumulation of trash and debris
 5) Used and/or scrap building material.
 6) Junked, abandoned or inoperable vehicle(s) not kept within an enclosed garage or an attached carport
 7) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county

Location: 4531 McKay Street, Lake Monroe (Commission District 5)
 Tax Parcel ID # 20-19-30-501-0000-0480

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Taylor, who was appearing for Senior Code Enforcement Officer Deborah Leigh, testified that according to Officer Leigh's recommendation, the property was not in compliance at this time. Officer Taylor stated that Officer Leigh had no objection to not placing a lien on the property.

Ernest Scott, Respondent, was present at the hearing and testified on his own behalf. Mr. Scott requested more time to come into compliance.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING TO TAKE NO ACTION ON THIS CASE AT THIS TIME AND ALLOW THE COUNTY, WHEN READY, TO BRING THE CASE BACK.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

Grace Chewning requested a progress report on this case at next month's meeting.

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SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 07-33-CEB
Lotis Troutman
Code Enforcement Officer: Pamela Taylor appearing for Deborah Leigh

This case was originally heard by the Board on May 17, 2007; and an Order was entered giving the Respondent a compliance date of July 18, 2007 which was extended until December 31, 2007. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on January 2, 2008. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on February 13, 2008.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$8,600.00** for 43 days of non-compliance, from January 1, 2008 through and including February 12, 2008, at \$200.00 per day. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (i) and (j).

Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
 2) The remains or rubble of structures which have been burned, stricken by other casualty, or demolished
 3) Used/scrap building materials

Location: 4510 Richard Allen Street, Lake Monroe (Commission District 5)
 Tax Parcel ID # 20-19-30-501-0000-2510

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Taylor, who was appearing for Senior Code Enforcement Officer Deborah Leigh, testified that the property was in compliance at this time.

Officer Taylor entered into evidence Officer Leigh's cost analysis of \$166.45. Officer Taylor testified that because of Mr. Troutman's efforts to come into compliance, Officer Leigh had no objection to reducing the fine.

Lotis Troutman, Respondent, was present at the hearing and testified on his own behalf. Mr. Troutman requested that his fine be waived.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY FREDERICK GELTZ, THAT THE ORDER FINDING COMPLIANCE AND RESCINDING FINE BE:

ORDER FINDING COMPLIANCE AND RESCINDING FINE

The Respondent is the owner of record of the property (Tax Parcel ID # 20-19-30-501-0000-2510) located at 4510 Richard Allen Street, Lake Monroe, located in Seminole County and legally described as follows:

LEG LOT 251 BOOKERTOWN PB 4 PG 98

This case came on for public hearing before the Code Enforcement Board of Seminole County on May 17, 2007, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h), (i) and (j).

Said Order stated that a fine in the amount of \$200.00 per day would be imposed if the Respondent did not take certain corrective action by July 18, 2007 which was extended to December 31, 2007.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on January 2, 2008.

An Affidavit of Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained after reinspection on February 13, 2008.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated May 17, 2007, the Board orders that a **lien** in the amount of **\$8,600.00** for 43 days of non-compliance at \$200.00 per day, from January 1, 2008 through and including February 12, 2008, **be rescinded**.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 08-07-CEB
Betty Lamar
Code Enforcement Officer: Dorothy Hird

The Board heard this case on March 27, 2008 and tabled the case to the April 17 hearing.

This case was originally heard by the Board on January 24, 2008; and an Order was entered giving the Respondent a compliance date of February 8, 2008. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 11, 2008. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on April 3, 2008. This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$4,050.00** for 54 days of non-compliance, from February 9, 2008 through and including April 2, 2008, at \$75.00 per day. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (l)
Described as: 1) The accumulation of trash and debris
2) Junked, abandoned or inoperable vehicle(s) not kept within an enclosed garage or an attached carport
Location: 100 Spring Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 12-21-29-5BD-1300-0090

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Hird testified that the property was presently in compliance.

Shalaja Knight, daughter of the Respondent, was present and testified on behalf of the Respondent. Ms. Knight requested that the fine be waived.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY LARRY LAWVER, THAT THE ORDER FINDING COMPLIANCE AND RESCINDING FINE BE:

ORDER FINDING COMPLIANCE AND RESCINDING FINE

The Respondent is the owner of record of the property (Tax Parcel ID # 12-21-29-5BD-1300-0090) located at 100 Spring Street, Altamonte Springs, located in Seminole County and legally described as follows:

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LEG LOTS 9 + 10 BLK 13 SANLANDO PB 3 PG 66

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 24, 2008, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g) and (l).

Said Order stated that a fine in the amount of \$75.00 per day would be imposed if the Respondent did not take certain corrective action by February 8, 2008.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on February 11, 2008.

An Affidavit of Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had been obtained after reinspection on April 3, 2008.

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated January 24, 2008, the Board orders that a **lien** in the amount of **\$4,050.00** for 54 days of non-compliance at \$75.00 per day, from February 9, 2008 through and including April 2, 2008, **be rescinded**.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

TOM HAGOOD – YES

GRACE CHEWNING – YES

FREDERICK GELTZ – YES

BILL FAHEY – YES

LARRY LAWVER – YES

MOTION CARRIED 5 – 0.

Case No. 07-128-CEB

SCJ Inv LLC Trustee (current owners)

Antone and Karen Pavao (previous owners)

Code Enforcement Officer: Pamela Taylor appearing for Deborah Leigh

This case was originally heard by the Board on October 25, 2007; and an Order was entered giving the Respondents a compliance date of November 2, 2007. An

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on November 5, 2007.

On February 19, 2008, the new owners were notified of the Code Enforcement case and the date of the hearing to request a lien.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$41,750.00** for 167 days of non-compliance, from November 3, 2007 through and including April 17, 2008, at \$250.00 per day; and the fine shall continue to accrue at \$250.00 per day until compliance is obtained. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (n) and (o)
Described as: 1) Stagnant or foul water in a swimming or wading pool
2) Swimming pool not completely enclosed by permanent fencing –
(Swimming pool not enclosed with a barrier according to code)
Location: 1670 Astor Farms Place, Sanford (Commission District 5)
Parcel I. D. # 13-19-29-5DT-0000-0180

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Taylor, who was appearing for Senior Code Enforcement Officer Deborah Leigh, testified that the property was not in compliance at this time. Officer Taylor stated that it was Officer's Leigh's recommendation that a lien be placed on the property.

Officer Taylor entered into evidence a cost analysis and photographs of the violations.

Antone Pavao, Respondent, was present at the hearing and testified on his own behalf. Mr. Pavao stated that the property was vacant and in foreclosure. Mr. Pavao requested additional time to come into compliance.

A general discussion was had concerning ownership of the property.

Motion by Grace Chewning, seconded by Larry Lawver, to accept Staff's recommendation.

A general discussion was had concerning the pros and cons of placing a lien on the property at this time.

Mr. Lawver withdrew his second to the motion to accept Staff's recommendation. Due to no second, the motion failed.

After discussion of this case by the Board:

MOTION BY LARRY LAWVER, SECONDED BY BILL FAHEY, THAT THE CASE BE CONTINUED TO THE MAY 15, 2008 MEETING.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

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(Thereupon, a brief recess was taken)
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Case No 04-38-CEB
Edward and Elfriede Arsenault
Code Enforcement Officer: Dorothy Hird

On March 27, 2008, the Board continued the case until the April 17, 2008 hearing. The Board also entered an Order increasing the daily fine from \$75.00 to \$100.00.

This is a repeat violation. The original violation was heard by the Board on June 24, 2004; and an Order was entered giving the Respondents a compliance date of August 24, 2004. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on August 26, 2004.

An Affidavit of Repeat Violation was filed after reinspection on January 10, 2006. An Affidavit of Compliance after Repeat Violation was filed by the Code Enforcement Officer after reinspection on January 20, 2006. The \$250.00 fine was rescinded by the CEB on February 23, 2006.

A second Affidavit of Repeat Violation was filed after reinspection on January 25, 2008. An Affidavit of Compliance after Repeat Violation was filed by the Code Enforcement Officer after reinspection on March 31, 2008.

This property is presently in compliance.

RECOMMENDATION: The Board issue an Order constituting a **fine on a repeat violation in the amount of **\$5,025.00** for 63 days of non-compliance, from January 25, 2008 through and including March 27, 2008, at \$75.00 per day and 3 days of non-compliance, from March 28, 2008 through and including March 30, 2008, at \$100.00 per**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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day for a total of 66 days of non-compliance. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3 (l).
Described as: 1) Junked, abandoned or inoperable vehicle(s) not kept within an enclosed garage or an attached carport
Location: 101 Lilac Lane, Altamonte Springs (Commission District 4)
Tax Parcel ID # 14-21-29-507-0000-0200

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Hird stated that she had a request for a continuation from the Respondents.

Edward and Elfriede Arsenault, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY FREDERICK GELTZ, THAT THE CASE BE CONTINUED UNTIL MAY 15, 2008 MEETING.

| | |
|------------------------------|---------------------------|
| TOM HAGOOD – YES | BILL FAHEY – YES |
| GRACE CHEWNING – YES | LARRY LAWVER – YES |
| FREDERICK GELTZ – YES | |

MOTION CARRIED 5 – 0.

Case No. 08-52-CEB
A & E Management, LLC
Principal Planner: Tony Walter

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 40 – Site Plan Approval
Described as: 1) Constructing and operating a moto cross track without County approved site plan and appropriate permits
Location: 2995 Stonewall Place, Sanford (Commission District 5)
Tax Parcel ID # 22-20-30-300-0360-0000

Tony Walter, Principal Planner, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation.

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Mr. Walter testified that the Respondents had done some of the site plan approval process that was required by the County some months ago; but as of his last inspection, March 5, 2008, the property was still not in compliance.

Mr. Walter stated that the recommendation would be to comply by July 11, 2008 with a fine of \$250.00 per day if the violation continues or is repeated past July 11, 2008.

A & E Management, LLC, Respondents, were not present at the hearing.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY LARRY LAWVER, THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-52-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 22-20-30-300-0360-0000) located at 2995 Stonewall Place, Sanford, located in Seminole County and legally described as follows:

SEC 22 TWP 20S RGE 30E BEG 477.11 FT S OF NW COR
OF NE 1/4 OF SE 1/4 RUN S 88 DEG 52 MIN 13 SEC W
188.81 FT NWLY ALG CURVE 543.24 FT SWLY ALG SLY
R/W N CR 427 TO A PT ON W LI OF E 1/2 OF NW 1/4 OF
SE 1/4 S TO A PT ON S LI OF NW 1/4 OF SE 1/4 E TO A
PT S OF BEG N TO BEG (LESS RD) 15.11 AC

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Land Development Code, Chapter 40 – Site Plan Approval.

It is hereby ordered that the Respondent shall correct the violation on or before July 11, 2008. In order to correct the violation, the Respondent shall take the following remedial action:

**1) SECURE THE REQUIRED COUNTY APPROVED SITE PLAN AND
RELATED CONSTRUCTION AND BUILDING PERMITS**

If the Respondent does not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violation continues or is repeated after compliance past July 11, 2008.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

Case No. 08-57-CEB
Carol J. Gramuglia
Code Enforcement Officer: Pamela Taylor

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h) and (p)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
3) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the County
Location: 4350 Radio Avenue, Sanford (Commission District 5)
Tax Parcel ID # 14-20-30-504-0000-0060

Pamela Taylor, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Taylor stated that as of her last inspection, April 7, 2008, the property was still not in compliance.

Officer Taylor stated that the recommendation would be to comply by May 2, 2008 with a fine of \$150.00 per day if the violations continue or are repeated past May 2, 2008.

Carol J. Gramuglia, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY FREDERICK GELTZ, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-57-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 14-20-30-504-0000-0060) located at 4350 Radio Avenue, Sanford, located in Seminole County and legally described as follows:

LEG LOT 6 (LESS S 107 FT) & ALL LOTS 7 & 8 RECTORS REVISION PB 10 PG 5

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h) and (p).

It is hereby ordered that the Respondent shall correct the violations on or before May 2, 2008. In order to correct the violations, the Respondent shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS**
- 2) REMOVE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE**
- 3) REMOVE ANY OTHER OBJECTIONABLE, UNSIGHTLY, OR UNSANITARY MATTER, SUBSTANCE, OR MATERIAL TENDING BY ITS EXISTENCE AND/OR ACCUMULATION TO ENDANGER OR ADVERSELY AFFECT THE HEALTH, SAFETY, LIVES, AND/OR WELFARE OF THE CITIZENS OF THE COUNTY**

If the Respondent does not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violations continue or are repeated after compliance past May 2, 2008.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

Case No. 08-59-CEB
Fremont Inv & Loan Company
Code Enforcement Officer: Dorothy Hird

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g)
Described as: 1) The accumulation of trash and debris
Location: 1193 Roxboro Road, Longwood (Commission District 4)
Tax Parcel ID # 01-21-29-5CK 030H-0150

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird stated that as of her last inspection, April 16, 2008, the property was not in compliance.

Officer Hird stated that the recommendation would be to comply by May 2, 2008 with a fine of \$50.00 per day if the violation continues or is repeated past May 2, 2008.

Fremont Inv & Loan Company, Respondent, was not present at the hearing.

Motion by Grace Chewning, seconded by Larry Lawver, to accept Staff's recommendation. Amendment to the motion by Bill Fahey to increase the fine to \$150.00 per day. Ms. Chewning and Mr. Lawver agreed to the amendment.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-59-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 01-21-29-5CK 030H-0150) located at 1193 Roxboro Road, Longwood, located in Seminole County and legally described as follows:

LEG THAT PT OF LOTS 15 & 16 IN S 1/2 OF BLK H
TRACT 3 SANLANDO SPRINGS PB 5 PG 51

- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g)

It is hereby ordered that the Respondent shall correct the violation on or before May 2, 2008. In order to correct the violation, the Respondent shall take the following remedial action:

1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS

If the Respondent does not comply with the Order, a fine of **\$150.00 per day** will be imposed for each day the violation continues or is repeated after compliance past May 2, 2008.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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Case No. 08-65-CEB
Raysa M. and Johnathan Sanchez
Code Enforcement Officer: Joann Tamulonis

NEW CASE

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h), (j) and (p)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
3) Used/scrap building material
4) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the County
Location: 551 Carlisle Avenue, Altamonte Springs (Commission District 3)
Tax Parcel ID # 15-21-29-510-0900-0060

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violations. Officer Tamulonis stated that as of her last inspection, April 2, 2008, the property was not in compliance.

Officer Tamulonis stated that the recommendation would be to comply by May 8, 2008 with a fine of \$250.00 per day if the violations continue or are repeated past May 8, 2008.

Raysa M. and Johnathan Sanchez, Respondents, were not present at the hearing.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY GRACE CHEWNING, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-65-CEB, it is determined that the Respondents are:

- (a) the owners of record of the property (Tax Parcel ID # 15-21-29-510-0900-0060) located at 551 Carlisle Avenue, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 6 BLK 9 WEATHERSFIELD 1ST ADD PB 12 PG 67

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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- (b) in possession or control of the property, and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h), (j) and (p)

It is hereby ordered that the Respondents shall correct the violations on or before May 8, 2008. In order to correct the violations, the Respondents shall take the following remedial action:

- 1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS
- 2) REMOVE UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND LOCATED WITHIN 75' FROM ANY STRUCTURE
- 3) REMOVE USED/SCRAP BUILDING MATERIAL
- 4) REMOVE ANY OTHER OBJECTIONABLE, UNSIGHTLY, OR UNSANITARY MATTER, SUBSTANCE, OR MATERIAL TENDING BY ITS EXISTENCE AND/OR ACCUMULATION TO ENDANGER OR ADVERSELY AFFECT THE HEALTH, SAFETY, LIVES, AND/OR WELFARE OF THE CITIZENS OF THE COUNTY

If the Respondents do not comply with the Order, a fine of **\$250.00 per day** will be imposed for each day the violations continue or are repeated after compliance past May 8, 2008.

The Respondents are further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.



SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
APRIL 17, 2008

Case No. 08-66-CEB
Michael Lewis Wood
Code Enforcement Officer: Joann Tamulonis

NEW CASE

Violation Charged: Seminole County Land Development Code, Chapter 30, Part 12, Section 30.202
Described as: 1) The operation of a business or extension of a business is not a permitted use in any R-1A, R-1AA, R-1AAA and R-1AAAA zoning classification
Location: Various locations in Seminole County (Commission District 3)
102 Oak Street, 104 Oak Street and 102 Gum Street, Altamonte
Tax Parcel ID # N/A

Joann Tamulonis, Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Tamulonis stated that she had a request for a continuation from the Respondent.

Michael Lewis Wood, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY GRACE CHEWNING, SECONDED BY BILL FAHEY, THAT THE CASE BE CONTINUED UNTIL THE MAY 15, 2008 MEETING.

TOM HAGOOD – YES BILL FAHEY – YES
GRACE CHEWNING – YES LARRY LAWVER – YES
FREDERICK GELTZ – YES

MOTION CARRIED 5 – 0.

Case No. 08-42-CEB
Lillian M. Nouvel
Inspector: Jason Rucker

NEW CASE CONTINUED FROM FEBRUARY 28, 2008 MEETING BY STAFF

Violation Charged: Florida Building Code, Section 105.1.
Described as: 1) Construction without the required permits
Location: 213 Temple Avenue, Casselberry (Commission District 4)
Tax Parcel ID # 19-21-30-507-0B00-0070

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
APRIL 17, 2008

Jason Rucker, Inspector, was present at the hearing and testified on behalf of the County and entered into evidence photographs of the violation. Mr. Rucker stated that as of his last inspection, April 10, 2008, the unpermitted construction remained on the property.

Inspector Rucker stated that the recommendation would be to comply by May 19, 2008 with a fine of \$250.00 per day if the violation continues or is repeated past May 19, 2008.

Lillian M. Nouvel, Respondent, was not present at the hearing.

After discussion of this case by the Board:

MOTION BY BILL FAHEY, SECONDED BY LARRY LAWVER, THAT THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 08-42-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 19-21-30-507-0B00-0070) located at 213 Temple Avenue, Casselberry, located in Seminole County and legally described as follows:

LEG LOT 7 BLK B FERN TERRACE PB 11 PG 28

- (b) in possession or control of the property, and
- (c) in violation of Florida Building Code, Section 105.1.

It is hereby ordered that the Respondent shall correct the violation on or before May 19, 2008. In order to correct the violation, the Respondent shall take the following remedial action:

1) SECURE THE REQUIRED PERMITS OR REMOVE THE UNPERMITTED CONSTRUCTION

If the Respondent does not comply with the Order, a fine of \$250.00 per day will be imposed for each day the violation continues or is repeated after compliance past May 19, 2008.

The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until the Code Officer inspects the property and verifies compliance with this Order.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
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This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

Case No. 07-135-CEB
Herman Canty
Code Enforcement Officer: Dorothy Hird

The Board heard this case on December 6, 2007 and an Order was entered giving the Respondent a compliance date of March 31, 2008. The Respondent is requesting an extension of the compliance date.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (g), (h) and (p)
Described as: 1) The accumulation of trash and debris
2) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
3) Any other objectionable, unsightly, or unsanitary matter, substance, or material tending by its existence and/or accumulation to endanger or adversely affect the health, safety, lives, and/or welfare of the citizens of the county
Location: 132 Oak Avenue, Altamonte Springs (Commission District 4)
Tax Parcel ID's #07-21-30-300-0140-0000 &
#07-21-30-300-0150-0000

Dorothy Hird, Code Enforcement Officer, was present at the hearing and testified on behalf of the County. Officer Hird stated that she met with Mr. Canty's son this morning at the property. Officer Hird testified that the property was close to compliance and that she had no objection to a 60-day extension to his compliance date.

Herman Canty, Respondent, was not present at the hearing.

After discussion of this case by the Board:

**MOTION BY GRACE CHEWNING, SECONDED BY LARRY LAWVER, THAT
THE ORDER EXTENDING COMPLIANCE DATE BE:**

ORDER EXTENDING COMPLIANCE DATE

The Seminole County Code Enforcement Board hereby issues this Order Extending Compliance Date and finds as follows:

(a) The Respondent is the owner of record of the property (Tax Parcels ID # 07-21-30-300-0140-0000 and 07-21-30-300-0150-0000) located at 132 Oak Street, Altamonte Springs, located in Seminole County and legally described as follows:

(07-21-30-300-0140-0000)
LEG SEC 07 TWP 21S RGE 30E W 100 FT OF E 203 FT
OF N 57 FT OF S 1/4 OF NE 1/4 OF NE 1/4 OF SW 1/4
and
(07-21-30-300-0150-0000)
LEG SEC 07 TWP 21S RGE 30E N 1/2 OF S 1/2 OF NE 1/4
OF NE 1/4 OF SW 1/4 (LESS E 85 FT OF S 57 FT)

(b) That the Respondent hereby requests the Board grant an extension to the current compliance date of **March 31, 2008**.

It is hereby ordered that the Respondent's compliance date of **March 31, 2008** be extended to **June 27, 2008**.

The Respondent must contact the Code Enforcement Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 17th day of April 2008.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

AT THIS TIME, THE CHAIRMAN ASKED TO ENTERTAIN A MOTION TO ACCEPT THE CONSENT AGENDA AS LISTED. MOTION BY LARRY LAWVER, SECONDED BY GRACE CHEWNING, TO ACCEPT THE CONSENT AGENDA AS FOLLOWS:

Case No 06-87-CEB
German Baez
Senior Code Enforcement Officer: Deborah Leigh

This is a repeat violation. The original violation was heard by the Board on December 14, 2006; and an Order was entered giving the Respondent a compliance date of December 21, 2006. An Affidavit of Compliance was filed by the Code Enforcement Officer after reinspection on January 19, 2007. On February 22, 2007, an Order was entered which rescinded the \$7,000.00 fine.

An Affidavit of Repeat Violation was filed after reinspection on January 30, 2008. On February 28, 2008, the Board found this property in repeat violation; and an Order was entered increasing the daily fine from \$250.00 to \$500.00.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** on a repeat violation in the amount of **\$32,000** for 30 days of non-compliance, from January 30, 2008 through and including February 28, 2008, at **\$250.00 per day** and 49 days, from February 29, 2008 through and including April 17, 2008, at **\$500.00 per day** for a total of 79 days; and the fine shall continue to accrue at **\$500.00 per day** until compliance is obtained. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3 (o).
Described as: 1) Swimming pool not completely enclosed by permanent fencing
Location: 219 Tollgate Trail, Longwood (Commission District 4)
Tax Parcel ID # 36-20-29-502-0100-0340

**ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN
ON REPEAT VIOLATION**

The Respondent is the owner of record of the property (Tax Parcel # 36-20-29-502-0100-0340) located at 219 Tollgate Trail, Longwood, located in Seminole County and legally described as follows:

LEG LOT 34 BLK I THE WOODLANDS PB 16 PG 3

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 14, 2006, after due notice to the Respondent. The

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Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found the Respondent in violation of the Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(o).

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by December 21, 2006. Compliance was obtained on January 19, 2007.

An Affidavit of Repeat Violation was filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the violation was being repeated as of January 30, 2008. The Board heard the repeat violation on February 28, 2008 and an Order was entered. At this time, the fine was increased to \$500.00 per day for each day the violation continued or was repeated past February 28, 2008.

Based on the testimony and evidence presented, the Respondents are in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated December 14, 2006.

Therefore, the Board orders a **lien** in the amount of **\$32,000** for 30 days of non-compliance, from January 30, 2008 through and including February 28, 2008, at \$250.00 per day and 49 days, from February 29, 2008 through and including April 17, 2008, at \$500.00 per day for a total of 79 days, be imposed against the property; and the fine shall continue to accrue at **\$500.00 per day** for each day the violation continues or is repeated past April 17, 2008.

This Order shall be recorded in the public records of Seminole County, Florida, and shall constitute a **lien** against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

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Case No. 08-08-CEB
Countrywide Home Loans (current owners)
Nancy Foy (previous owner)
Code Enforcement Officer: Dorothy Hird

This case was originally heard by the Board on January 24, 2008; and an Order was entered giving the Respondent a compliance date of February 8, 2008. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 11, 2008.

On March 6, 2008, the new owners were notified of the Code Enforcement case and the date of the hearing to request a lien.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$10,350.00** for 69 days of non-compliance, from February 9, 2008 through and including April 17, 2008, at \$150.00 per day; and the fine shall continue to accrue at \$150.00 per day until compliance is obtained. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h) and (n) and Seminole County Land Development Code, Chapter 30, Section 30.1349 (e) and (g)

Described as: 1) Uncultivated vegetation in excess of 24" in height and located within 75' from any structure
2) Stagnant or foul water in a swimming or wading pool
3) Fences not maintained in their original upright condition
4) Fencing missing boards, pickets, posts or bricks shall be promptly replaced with material of the same type and quality

Location: 701 Coach Light Drive, Fern Park (Commission District 4)
Tax Parcel ID # 20-21-30-526-0A00-0260

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID # 20-21-30-526-0A00-0260) located at 701 Coach Light Drive, Fern Park, located in Seminole County and legally described as follows:

LEG LOT 26 BLK A COACH LIGHT ESTATES PB 21 PGS 30 & 31

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 24, 2008, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3 (h) and (n) and Seminole County Land Development Code, Chapter 30, Section 30.1349 (e) and (g).

Said Order stated that a fine in the amount of \$150.00 per day would be imposed if the Respondent did not take certain corrective action by February 8, 2008.

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An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on February 11, 2008.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated January 24, 2008, the Board orders that a **lien** in the amount of **\$10,350.00** for 69 days of non-compliance at \$150.00 per day, from February 9, 2008 through and including April 17, 2008, be imposed; and the fine shall continue to accrue at **\$150.00** per day for each day the violations continue or are repeated past April 17, 2008.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violations exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

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Case No. 08-11-CEB
American Home Mortgage Servicing, Inc.
Inspector: Jason Rucker

This case was originally heard by the Board on January 24, 2008; and an Order was entered giving the Respondents a compliance date of February 24, 2008. An Affidavit of Non-Compliance was filed by the Code Enforcement Officer after reinspection on February 25, 2008.

This property is NOT in compliance at this time.

RECOMMENDATION: The Board issue an Order constituting a **lien** in the amount of **\$13,250.00** for 53 days of non-compliance, from February 25, 2008 through and including April 17, 2008, at \$250.00 per day; and the fine shall continue to accrue at \$250.00 per day until compliance is obtained. The Clerk shall record said Order in the Public Records of Seminole County.

Violation Charged: Florida Building Code, Section 105.1
Described as: 1) Construction without the required permits
Location: 2224 Grand Tree Court, Lake Mary (Commission District 4)
Tax Parcel ID # 20-20-30-509-0000-0540

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID # 20-20-30-509-0000-0540) located at 2224 Grand Tree Court, Lake Mary, located in Seminole County and legally described as follows:

LEG LOT 54 REMINGTON OAKS AT THE CROSSINGS PB 38 PGS 68 TO 70

This case came on for public hearing before the Code Enforcement Board of Seminole County on January 24, 2008, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Florida Building Code, Section 105.1.

Said Order stated that a fine in the amount of \$250.00 per day would be imposed if the Respondent did not take certain corrective action by February 24, 2008.

An Affidavit of Non-Compliance had been filed by the Code Enforcement Officer, which Affidavit certified under oath that the required action had not been obtained after reinspection on February 25, 2008.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated January 24, 2008, the Board orders that a **lien** in the amount of **\$13,250.00** for 53 days of non-compliance at \$250.00 per day, from February 25, 2008 through and including April 17, 2008, be imposed; and the fine shall continue to accrue at **\$250.00** per day for each day the violation continues or is repeated past April 17, 2008.

This Order shall be recorded in the official land records of Seminole County and shall constitute a **lien** against the land on which the violations exist and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 17th day of April 2008, in Seminole County, Florida.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

VII Approval of the minutes from the meeting of March 27, 2008

MOTION BY LARRY LAWVER, SECONDED BY BILL FAHEY, TO APPROVE THE MINUTES FROM THE MEETING OF MARCH 27, 2008.

**TOM HAGOOD – YES
GRACE CHEWNING – YES
FREDERICK GELTZ – YES**

**BILL FAHEY – YES
LARRY LAWVER – YES**

MOTION CARRIED 5 – 0.

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VIII Confirmation date of next meeting: May 15, 2008

IX Old Business –

None

X New Business –

Tom Hagood informed the Board that he would be on military duty and not available for the May 15, 2008 meeting. Larry Lawver also stated that he would not be available for the May 15, 2008 meeting.

XI Adjourn – There being no further discussion, this meeting was adjourned at 4:30 P.M.

Respectfully submitted:

**Connie DeVasto
Clerk to the Code Enforcement Board**

**Tom Hagood
Chair**

4-17-08 minutes